



QUICK REFERENCE GUIDE (QRG) FLEXIBLE HOURS OF WORK SCHEME PROFESSIONAL STAFF

OVERVIEW OF THE SECTION

CLAUSE REFERENCES:

WESTERN SYDNEY UNIVERSITY PROFESSIONAL STAFF AGREEMENT 2022

Flexible Hours of Work Scheme (Clause 35)

BRIEF DESCRIPTION:

The Flexible Hours of Work Scheme clause outlines how professional staff can accrue and use time credits, defines set daily and weekly work limits, and clarifies how to handle Time debits, overtime (OT), time in lieu (TIL), and flex leave.

It also contains provisions about commencing and changing individual flexible hours, meal breaks, core and bandwidth hours, and contains exceptions for operational requirements, ensuring a balance between employees' needs and the University's operational requirements.

INTERPRETATION AND APPLICATION

The Flexible Hours of Work Scheme (Scheme) is available to ongoing and fixed term professional employees unless a supervisor can demonstrate that an employee's participation in the scheme would be impractical for the performance of the employee's core duties. The Scheme does not extend to casual employees. The clause should be read in conjunction with clause 25: *Hours of Work* in the Professional Staff Agreement.

Supervisors and employees are expected to balance operational and personal needs when determining individual work arrangements under the Scheme. If an employee is unable to work successfully within the Scheme, the supervisor must discuss the issue with the employee to seek to resolve the matter.

If an employee chooses to work a standard 35-hour week rather than participate in the Scheme, they may only join the Scheme with their Supervisor's approval.

This Scheme will not disadvantage employees whose usual start and finish times are outside the prescribed bandwidth and core hours.

WORKING HOURS & BANDWIDTH

Bandwidth	The bandwidth for hours of work is 7:00 am and 6:00 pm, Monday to Friday. Flex time may be accrued during these hours.
Core Hours	The core working hours are 9:30 am to 3:30 pm. An employee must be at work during core hours and account for any absences using approved leave.
Meal Breaks	An employee is required to take a meal break lasting between 30 minutes and 2 hours between the hours of 11:30 am and 2:30 pm, with timing subject to operational requirements. An employee must not work more than 5 consecutive hours without a break.
Flexibility	An employee can vary their daily start and finish times within the bandwidth hours with approval from their supervisor, which must not be unreasonably withheld and subject to operational requirements of the work unit.
Settlement Period (Timesheet period)	A 4-week (140-hour) period beginning the Friday after every second payday. An employee must submit timesheets for each settlement period, and time should be recorded on the day it is worked, except in exceptional circumstances.

TIME ACCRUALS & LEAVE

Time credit/debit

An employee can accrue **time credits** for working more than 7 hours per day (or the hours of their work pattern) provided that the following requirements are met:

- Gainful work is available;
- Operational needs require the additional time to be worked;
- The employee's supervisor approves the additional time;
- The time credit does not accrue if overtime is paid for the same time period; and
- The credit is accrued as hour-for-hour of work (penalty rates do not apply).

A maximum of 14 hours can be carried forward to the next settlement period, with excess time forfeited unless the employee was directed not to take leave for operational reasons.

In exceptional circumstances (for example, during a peak work period), a full-time employee may carry up to an additional 14-hour balance (ie. a total balance of 28 hours) across to the next period, but there must be an agreed upon strategy in place with their supervisor to reduce the balance.

Conversely, an employee will lose time credits (and incur **time debits**) for working less than 7 hours per day (or the hours of their work pattern). A **time debit** of less than 14 hours will be carried forward to the next settlement period. If a time debit is more than 14 hours (or the relevant pro-rata amount), an alternative form of leave must be booked. If no suitable paid leave is available, leave without pay will be applied.

Overtime (OT), Time in Lieu (TIL) and Public Holidays

Extra time worked to accrue flex credits or reduce a negative flex balance will not attract OT or TIL. Moreover, OT and TIL should generally not be worked within an employee's bandwidth hours unless required by the University and must be approved by the Head of the employee's work unit.

Public Holidays

An employee will only receive a time credit for public holidays if it falls on a day that is within their normal work pattern or roster, which must not be changed for the purpose of enabling the employee to gain a time credit for the public holiday.

Shift work

An employee on a fixed 5- or 7-day roster receives appropriate shift allowances and can accumulate time credit in line with their roster. For employees working designated shifts occasionally, any extra hours worked for flex leave purposes will not attract a shift penalty.

FLEX LEAVE

An employee can accrue and take up to 14 hours (2 days) of flex leave per settlement period (pro-rata for part-time employees) by agreement with their supervisor and having regard to operational requirements. A supervisor must not unreasonably refuse flex leave and supervisors must ensure that employees are able to take their flex leave.

- **Usage:** Flex leave can be taken on consecutive days but taking the leave on Fridays or Mondays should not automatically be expected; employees can also utilise half-day leave in blocks of at least 3.5 hours of leave.
- **Carrying Over or Payment:** If flex leave cannot be taken due to operational needs, it may be carried over to the next settlement period, subject to the employee's Head of Unit seeking approval from the Chief People Officer. If the leave still cannot be taken in the following period, then the balance paid out at ordinary time unless an alternative arrangement exists.
- **Leaving employment:** Flex leave must be cleared before leaving the University's employ; leave that cannot be cleared due to operational requirements will be paid out at ordinary time, and any time debit will be deducted from the employee's annual leave balance.

MONITORING & CHANGES

Where changes to a work area's organisational and operational requirements may affect an employee's hours of work, the process prescribed by clause 54: *Organisational Change* must be followed. The University will consider, amongst other things, employees' family, carer's, and disability needs when making decisions on work hours.

FREQUENTLY ASKED QUESTIONS

QUESTION	ANSWER
I think I would like to change my working hours due to carer responsibilities. Where do I start?	<p>In the first instance, initiate a discussion with your direct Supervisor about the change you are seeking and see if this is something that can be accommodated.</p> <p>Please be mindful that changes to your work hours may have a flow on effect to other employees in your Work Unit and consider how you may be able to amend your hours to minimise any such impact. HR Operations Team can amend your bandwidth to a broader time span for you – please email the Team with approval from your Supervisor, Head of Unit and Chief People Officer confirming your new bandwidth.</p>
I regularly work hours outside of 7am to 6pm but my flex sheet does not accrue flex time credits for anything after 6pm. How can I fix this?	<p>Depending on the length of your appointment and your work area, you may wish to book a part day of leave so you don't go into negative time for the day.</p> <p>Alternatively, you and your Supervisor may discuss and agree to accommodate this appointment with a longer lunch break and have you return to work afterwards. Flex leave can be booked through your StaffOnline account under 'My Leave' > 'Leave Booking Request'. If you have previously booked Flex leave and would like to amend or reverse it, you will need to submit a 'Leave reversal request' form in WesternNow which will go to your supervisor for approval.</p>
I have an appointment at 2pm on my rostered day to work. Do I need to book leave?	
How do I book or reverse my flex leave?	
Can I reverse flex leave for another leave type after it has been taken?	<p>No, once flex leave has been taken it should not be substituted with another form of leave.</p>

I have a block of leave booked before realising a public holiday falls on a day in this block, and is on one of my ordinary working days. Do I need to reverse and re-book this leave?

No, you will not need to do anything here. Our Payroll System recognises public holidays and will not deduct anything from your leave balance for these days – you will be able to check this is your flex sheet under the ‘Leave Value’ column as it will indicate 0.00 hours.

**Note: the above does not apply to unpaid leave.*

I booked 2 flex leave days and now my flex balance is in negative 16 hours and I cannot submit my flex timesheet. What do I do?

You will need to submit a ‘Leave reversal request’ form in WesternNow and specify which leave type you like to change one (or both) of the flex days to.

I have been on parental leave for the last 8 months and I have a lot of open flex timesheets. Do I need to submit them?

Yes, these flex timesheets need to be submitted in order from oldest to newest; your supervisor will also need to approve the flex timesheets in chronological order so your flex balance will be calculated and carried over correctly.

It is our busy period in my Work Unit, I have accrued over 14 hours in my flex balance and I want to keep them. What should I do?

If you were directed not to take flex leave because your team is too busy, you can have your flex balance carried over to the next timesheet period by contacting the HR Operations Team and they will action the request on your behalf. You will need ensure you have the relevant approvals in order for the flex balance to be carried over.

EXAMPLES

EXAMPLE 1: FLEX ACCRUAL

Sarah regularly works an extra 20 minutes per workday as she would like to take two consecutive flex days (Friday & Monday) in the settlement period, however, Sarah’s work unit is currently in their quietest period of the year and there is no work in the team’s shared inbox.

Sarah’s supervisor becomes aware of the extra work Sarah is completing and decides to have a discussion with Sarah that working more than her standard day is not suitable during their quiet period as there is no justification for the extra time worked. They also mention that Sarah has been consistently taking flex leave on Fridays which is negatively impacting staff coverage for their client-facing team and may not be possible in future to always utilise her flex on Fridays.

EXAMPLE 2: ADDITIONAL HOURS WITHIN BANDWIDTH

Carlito has been working on a critical project with a tight deadline and his normal working hours are 8am to 4pm with a 1-hour lunch break.

Carlito's supervisor, Krishna, asks Carlito to work longer hours until the project is finished so it can be delivered by the deadline and they both agree that Carlito can work to 6pm. Krishna confirms that the extra hours from 4pm to 6pm will add onto Carlito's flex balance but not incur overtime.

EXAMPLE 3: FLEX CARRY OVER

Matteo has been working extra hours as his team is preparing for student graduation ceremonies and has a flex balance of positive 18 hours. He has agreed with his supervisor that it is not the best time for Matteo to take leave given the time-sensitive nature of their work.

At the end of the settlement period, only 14 hours of the flex balance has carried over to the new period. Matteo's supervisor emails the Chief People Officer (or their nominee) to explain the reason for the excess carryover and request approval. Once the approval is granted, the email trail is sent to the HR Operations team and the missing 4 hours is carried over, making Matteo's starting flex balance in the new period equal to 18 hours.

EXAMPLE 4: FLEX PAY OUT

Azriel has been successful to securing a new position outside of the University and currently has a positive flex leave balance of 11 hours.

In the preparation for his departure, Azriel's supervisor requests that he reduces his flex balance to zero. As a result, Azriel books a flex leave day on Tuesday of his last week but is unable to take any further leave without compromising his team.

As Azriel's supervisor agreed to this, Azriel will be paid the remaining flex balance of 4 hours in his final pay from the University.

INFORMATION IN THIS GUIDE IS A SUMMARY ONLY

This document provides a general summary to assist staff understand the rights and processes related to this entitlement. To avoid doubt, this document:

- does not contain a complete account of the rights, entitlements, conditions, or obligations that may be available;
- does not replace or override the terms of the relevant enterprise agreement or under legislation, or the Western Sydney University's policies or procedures; or
- does not constitute legal or financial advice.

FURTHER INFORMATION

For further details on Flexible Hours of Work, please refer to the relevant Professional/Academic [Enterprise Agreement](#).

KEY CONTACTS FOR FURTHER ADVICE

If you have any questions or would like to discuss your Casual Pay Rate options, please contact the People Services Team (previously known as the HR Operations Team) or the Workplace Relations Team.